IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

| CRYOVAC, INC., |) | |
|-----------------------------------|-------------|-------------------------|
| Plaintiff/Counter-Defendant. |) | C.A. No.: 04-1278 (KAJ) |
| vs. |) | |
| PECHINEY PLASTIC PACKAGING, INC., |))) | |
| Defendant/Counter-Plaintiff. |) | |

SECOND AMENDED NOTICE TO TAKE THE DEPOSITION OF **ELDRIDGE MOUNT**

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, Plaintiff Cryovac, Inc. will take the deposition of Eldridge Mount by oral examination using video tape, audio tape, or stenographic means, or a combination of those means. The deposition will commence on August 4, 2005, at 9:30 AM, at the offices of JENNER & BLOCK LLP, located at One IBM Plaza, Chicago, Illinois. The deposition will be before a Notary Public or other officer authorized by law to administer oaths and will continue from day to day until complete.

You are invited to attend and cross-examine.

Dated: July 26, 2005

John W. Shaw (No. 3362)

Karen E. Keller (No. 4489)

YOUNG CONAWAY STARGATT &

TAYLOR, LLP

The Brandywine Building, 17th Floor

1000 West Street

Wilmington, Delaware 19801

(302) 571-6689

Of counsel:

Ford F. Farabow, Jr.

Joann M. Neth

Michael J. Flibbert

Rebecca D. Hess

Courtney B. Meeker

Mark J. Feldstein

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

901 New York Avenue, N.W.

Washington, D.C. 20001-4413

(202) 408-4000

Attorneys for Plaintiff Cryovac, Inc.

Case 1:04-cv-01278-KAJ

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

> N. Richard Powers, Esquire Connolly Bove Lodge & Hutz LLP The Nemours Building 1007 North Orange Street P. O. Box 2207 Wilmington, DE 19899

I further certify that on July 26, 2005, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following nonregistered participants in the manner indicated.

BY FEDERAL EXPRESS

Steven R. Trybus, Esquire Jenner & Block LLP One IBM Plaza Chicago, IL 60611-7603

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Káren E. Keller (No. 4489)

The Brandywine Building

1000 West Street, 17th Floor

Wilmington, Delaware 19801

(302) 571-6600

kkeller@ycst.com

Attorneys for Plaintiff Cryovac, Inc.

WP3:1128514.1 63527.1001